

ORIGINAL

CIVIL RIGHTS COMPLAINT  
42 U.S.C. § 1983

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

FILED  
CLERK  
2012 NOV 26 PM 12:18  
U.S. DISTRICT COURT  
EASTERN DISTRICT  
OF NEW YORK

CV 12

5877

GORDON MOSELEY

Full name of plaintiff/prisoner ID#

Plaintiff,

AMON, CHIJ JURY TRIAL DEMAND  
YES ☒ NO ☐

-against-

THE CITY OF NEW YORK  
ANSELMO LEZAMA  
NATHANIEL RAY  
DOUGLAS MONCAYO

LOOM, M.J.

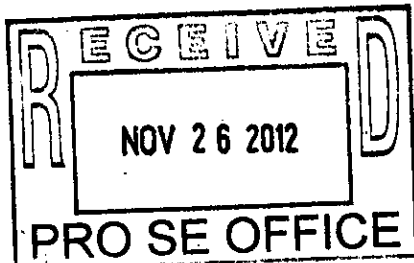
Enter full names of defendants  
[Make sure those listed above are  
identical to those listed in Part III.]

Defendants.

I. Previous Lawsuits:

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes ( ) No (☒)
- B. If your answer to A is yes, describe each lawsuit in the space below (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:



Plaintiffs: \_\_\_\_\_

Defendants: \_\_\_\_\_

2. Court (if federal court, name the district;  
if state court, name the county)

3. Docket Number: \_\_\_\_\_

4. Name of the Judge to whom case was assigned: \_\_\_\_\_

5. Disposition: (for example: Was the case dismissed? Was it appealed? Is it still pending?)  
\_\_\_\_\_

6. Approximate date of filing lawsuit: \_\_\_\_\_

7. Approximate date of disposition: \_\_\_\_\_

II. Place of Present Confinement: Gowanda Correctional Facility, South Road, P.O. Box 350  
Gowanda, New York 13618

A. Is there a prisoner grievance procedure in this institution? Yes (✓) No ( )

B. Did you present the facts relating to your complaint in the prisoner grievance procedure? Yes ( ) No (✓)

C. If your answer is YES,

1. What steps did you take? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. What was the result? \_\_\_\_\_  
\_\_\_\_\_

D. If your answer is NO, explain why not The violation of the Plaintiff  
Civil rights happend at his apartment, NOT IN PRISON

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? Yes ( ) No ( )

N/A

F. If your answer is YES,

1. What steps did you take? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. What was the result? \_\_\_\_\_  
\_\_\_\_\_

III. Parties:  
(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff GORDON MOSELEY

Address GOWANDA CORRECTIONAL FACILITY, P.O. BOX 311, Gowanda, N.Y., 14070-0311  
(Home) 157 BELMONT AVENUE, 15B, BROOKLYN, New York, 11212

(In item B below, place the full name and address of each defendant)

B. List all defendants' names and the addresses at which each defendant may be served. Plaintiff must provide the address for each defendant named.

Defendant No. 1

DETECTIVE ANSELM LEZAMA, Shield #60  
BROOKLYN ROBBERY SQUAD (BRS)  
653 GRAND AVENUE, BROOKLYN, New York, 11238

Defendant No. 2

DETECTIVE NATHANIEL RAY, SHIELD #2297  
BROOKLYN ROBBERY SQUAD (BRS)  
653 GRAND AVENUE, BROOKLYN, New York, 11238

Defendant No. 3

DETECTIVE DOUGLAS MANCANA, SHIELD NO. 2086  
BROOKLYN ROBBERY SQUAD (BRS)  
653 GRAND AVENUE, BROOKLYN, New York, 11238

Defendant No. 4

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant No. 5

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Make sure that the defendants listed above are identical to those listed in the caption on page 1].

## IV. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 1/2 by 11 sheets of paper as necessary.)

ON THE DATE OF JULY 14<sup>TH</sup> 2010, OFFICERS ANSLEM LEZAMA, NATHANIEL RAY, AND DOUGLAS MONCAYO ENTERED THE PLAINTIFF'S APARTMENT (WITHOUT A SEARCH-WARRANT), SEARCHED VARIOUS ROOMS IN THE APARTMENT (W/O PERMISSION) AND FOUND NOTHING OF SUBSTANCE PURSUANT TO THEIR CASE. WHEN OFFICER ENTERED, GUNS WERE DRAWN, AND JACQUELINE MOSELEY WAS AT A STATE OF PARTIAL <sup>rudity</sup> ~~had~~. NO FEMALE OFFICERS AIDED THESE GROUP OF MALES, KNOWING THE APT. WAS OWNED BY A FEMALE. OFFICERS MADE THREATS TO SHOOT HER SMALL DOG IF SHE DIDN'T PUT IT AWAY AND STOP IT FROM BARKING. OFFICERS THEN BEGAN THREATENING HER SON GORDON MOSELEY, HE SAID HE KNEW NOTHING AND DIDN'T WANT TO BE BOTHERED. OFFICERS AGGRAVATED GORDON, WHILE IN THE HOUSE AND BOUGHT HIM TO THE STATION WHERE THEY CONTINUED TO THREATEN AND COERSE HIM INTO MAKING AN FALSE INVOLUNTARY CONFESSION, SO THEY WOULDN'T FRAME HIS YOUNGER BROTHER JAMAL LIKE THEY SAID THEY WOULD IF HE DIDN'T COMPLY. THE OFFICERS ALSO DENIED GORDON HIS LAWYER, PRIOR TO HIM REQUESTING ONE SEVERAL TIMES, INCLUDING at home during the arrest. Jacqueline Moseley witness this and called the lawyer directly the lawyer called the officers at the station and said to stop questioning him. Lawyer: Nancy Frost (MD1) Brooklyn Supreme

IV. A If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

GORDON MOSELEY, HAS A HISTORY OF MENTAL HEALTH ISSUES (Mainly Depression). HE IS CURRENTLY CONFINED IN A CORRECTIONAL FACILITY THAT PROVIDES NO MENTAL HEALTH DISPIE IT BEING ON HIS MEDICAL RECORD. NO MEDICAL TREATMENT WAS GIVING AFTER THE INCIDENT, NOR FURTHER DOWN THE LINE TO THIS CURRENT DATE. Gordon was receiving care in or via Mental Health Court prior to this; Judge Diemic MD-1.

V. Relief:

State what relief you are seeking if you prevail on your complaint.

- Reinstate Appeal Rights
- Place Plaintiff Gordon Moseley, in a facility that provides mental health (via Albany, Movement and Control). The facility he is currently in provides no Mental Health what-so-ever. Gordon Moseley has a history of Mental Health on file.

\$15,000 - 20,000 Pain & Suffering, Unlawful Imprisonment, Threatening/Tampering w/ witness, Illegal Search & Seizure, Intimidating a witness, falsifying documents, AND Mother (Jacqueline) Moseley (dramatize, depressed) seeking Medical Attention

I declare under penalty of perjury that on Nov 6 2012, I delivered this  
(Date)

complaint to prison authorities to be mailed to the United States District Court for the Eastern District of New York.

Signed this 6 day of November, 2012. I declare under penalty of perjury that the foregoing is true and correct.

Gordon Moseley  
Signature of Plaintiff

Gowanda Correctional Facility  
Name of Prison Facility

P.O. BOX 311

Gowanda, New York, 14070

\_\_\_\_\_  
Address

10-R-3697  
Prisoner ID#